

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

In re:)
) Case No.: 25-40054
MICHAEL JUSTIN SCOTT,)
) Chapter 7
Debtor.)

MOTION TO DISMISS

The Office of the Bankruptcy Administrator for the Western District of North Carolina hereby moves the court for an order dismissing this proceeding and says:

1. This is a Chapter 7 proceeding in which a *pro se* voluntary petition was filed on March 10, 2025.
2. On March 19, 2025, the Debtor filed a credit counseling certificate that shows the Debtor completed the credit counseling course on March 18, 2025 [ECF No. 10].
3. The undersigned moves to dismiss this proceeding based on the Debtor's failure to comply with the provisions of 11 U.S.C. §109(h) in that the Debtor has not provided evidence that the Debtor obtained the necessary credit counseling during the 180-day period preceding the date of filing of the petition. In re Baxter, 2006 Bankr. LEXIS 4541, *7-8 (Bankr. W.D.N.C. May 17, 2006).

Wherefore, the undersigned moves the Court to dismiss this case and for such other and further relief as the Court deems just and proper.

Dated: March 21, 2025.

/s/ Heather W. Culp
Heather W. Culp
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Bankruptcy Administrator
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CERTIFICATE OF SERVICE

The undersigned certifies that the pleading(s) or paper(s) to which this Certificate is affixed was served upon the party(s) to this action listed below by depositing a copy of the same, enclosed in a first-class postpaid, properly addressed wrapper, in a Post Office or official depository under the exclusive care and custody of the United States Postal Service and/or by means of the Electronic Filing System of the Bankruptcy Court on March 21, 2025.

Michael Justin Scott
3008 Spinner Ct
Denver, NC 28037

Jimmy R. Summerlin, Jr, Chapter 7
Trustee (via ECF)

/s/ Heather W. Culp
Heather W. Culp
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